



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
Fischer et al. )  
Serial No.: 09/700,099 )  
Filed: December 11, 2000 )  
Confirmation No.: 2645 )  
For: LOW-EMISSION FLOOR COVERING )  
Examiner: Dicus, Tamra  
Art Unit: 1774  
Docket No.: D078 1090

RECEIVED  
DEC 11 2003  
TC 1700

**PETITION FOR EXTENSION OF RESPONSE TIME  
SUBMISSION OF EXTENSION FEE  
FOR THREE MONTH EXTENSION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated June 10, 2003, for three (3) months from September 10, 2003 to December 10, 2003.

A check in the amount of \$950.00 is enclosed to cover the extension fee. The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 09-0528.

12/10/2003 DTESSSEM1 00000062 09700099

02 FC:1253

950.00 OP

12/18/03  
Date

Respectfully submitted,

Steven L. Schmid  
Reg. No. 39,358  
Attorney for Applicant

Womble Carlyle Sandridge & Rice, PLLC  
P.O. Box 7037  
Atlanta, Georgia 30357-0037  
(404) 962-7539 (Telephone)  
(404) 870-8123 (Facsimile)

**EXPRESS MAIL**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee," in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 8, 2003.

Express Mail No. EV 30001628145

ATLANTA 381216v1

*Cheryl West*

12-09-06

A circular stamp with the letters 'OPI' at the top, the date 'DEC 08 2003' in the center, and the words 'TRADEMARK' at the bottom.

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request  
for  
Continued Examination (RCE)  
Transmittal

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/700,099
Filing Date	December 11, 2000
First Named Inventor	Bernd Fischer
Art Unit	1774
Examiner Name	Dicus, Tamra
Attorney Docket Number	D078 1090

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**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/ Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other Petition for Extension of Time; Fee Transmittal

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a.  Deposit Account No. 09-0528

i.  RCE fee required under 37 CFR 1.17(e) 12/10/2003 DTESEM1 00000062 09700099

ii.  Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 OP

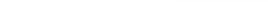
iii.  Other any deficiencies in the fees submitted

b.  Check in the amount of \$ 950 & \$770 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Steven J. Schmid	Registration No. (Attorney/Agent)	39,358
Signature		Date	12/18/07

**CERTIFICATE OF MAILING OR TRANSMISSION**

express

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Cheryl West		
Signature	Cheryl West	Date	12/8/03
<p>This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p>			

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (10-03)  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)**1,720.00

## Complete if Known

Application Number	09/700,099
Filing Date	December 11, 2000
First Named Inventor	Bernd Fischer
Examiner Name	Dicus, Tamra
Art Unit	1774
Attorney Docket No.	D078 1090

RECEIVED  
DEC 11 2003  
TC 1700

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number	09-0528
Deposit Account Name	Womble Carlyle Sandridge & Rice

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$)</b>	

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	15	-20** = 0	X = 0
Independent Claims	1	- 3** = 0	X = 0
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$)</b> 0.00

\*\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	950.00
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	770.00
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** **(\$)**1,720.00

(Complete if applicable)

<b>SUBMITTED BY</b>			
Name (Print/Type)	Steven L. Schmid	Registration No. (Attorney/Agent)	39,358
Signature		Telephone	404-962-7539

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